

FILED
SCRANTON

APR 02 2025

PER SP
DEPUTY CLERK

UNITED STATES COURT OF APPEALS
for the THIRD CIRCUIT

United States

v.

No. 3:23-cr-00027-001

Asiana Williams

AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

Affidavit in Support of Motion	Instructions
I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)	Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.
Signed: <u>Asiana Williams</u>	Date: <u>3-19-25</u>

My issues on appeal are:

Issues on separate paper included in envelope.

Judge Mariani put an order in on August 7, 2024, that confirmed that I did not want my motions adopted, when he plainly had a conversation with me on several occasions where I told him that I wanted my motions adopted. Was the statement put on record so that the court of appeals would think that I did not want my motions adopted? In the transcripts on several occasions it will show me clearly asking, near begging him to allow me to put my motions on file. He refused. My motions were blocked from being put on the docket, on several occasions.

I was assigned an attorney "CJ", after my paid attorney Theron Solomon was taken off my case because of him being "a conflict of interest" which was inaccurate. CJ did not show up for me until a week and a half before trial to prepare for trial with me.

CJ told me that the prosecutor Michelle Olshefski, told him about motions that were filed on my behalf, he said he hasn't had a chance to go over them, but she (Michelle Olshefski) told him the motions were frivolous and not to waste his time. From that moment forward he refused to adopt my motions that were filed because of what the prosecutor told him. Not only did he allow her to interfere with my defense but he listened to what she said and refused to do what I asked him to do, which was adopt my motions, he refused to read my motions at first and he refused to adopt them because of what the prosecutor told him. This later led up to the status conference which for whatever reason I wasn't allowed to go to. If I was able to attend this conference I would have verbally told Judge Mariani right then and there exactly what the issue was myself.

At the status conference CJ told the Judge that I did not want my motions adopted. I had these motions prepared for me prior to CJ being assigned to my case. I asked him to bring them to me so we can go over them and he can explain to me what he finds wrong and we can fix it. He refused to do that, he refused to file ANY motions as a matter of fact. CJ lied to Judge Mariani and told him I didn't want my motions adopted, how can I turn down any motion I never seen or went over like I asked him several times. He also lied and told Judge Mariani that he went over the motions with me and that I told him I didn't want my motions adopted, why?

They had a status conference without me, and had I been present at this conference I would have had the opportunity to enlighten Judge Mariani on all of this before Trial started, but that right was taken from me. CJ denied me my due process and allowed trial to continue even though we had this issue, and despite the fact that I was nowhere near ready for trial. He prematurely represented me on a trial that he only prepared a week and a half for.

Mr. Dexter Hull was present during the status conference, in fact he's been present this entire time of me fighting my case. He has been assisting me with and educating me on alot. He assisted me with keeping up with what was being put on the docket and he has also been helping me with my motions. I know Mr. Hull is not my lawyer and he can not represent me, I never claimed to think or want that. But I did allow him to assist me because of course my options were very limited being incarcerated with an attorney who blatantly neglected me and refused to do his job right up until the moment of trial, and even then he failed to fight for me.

Mr. Hull was there to witness CJ lying to Judge Mariani. After hearing CJ lie, and asking permission to present the courts, Mr. Hull told Judge Mariani that CJ was lying about me not wanting my motions adopted and not wanting any expert witnesses. I spoke with Mr. Hull on the phone that day after CJ came to see me and he told me what happened in court and I said to him, How could I turn down motions that I never seen or heard?

The status conference transcripts have been changed they're not verbatim and alot has been removed from the transcripts but they should've been recorded and listening to the audio should show what was said exactly.

Not only has my assigned attorney at the time Cornelli Rotevelle (CJ) shown himself to be less than honorable but so did the prosecutors, and many people from the District court, and I will explain in several ways how this was proven. My letters and motions that were mailed in were given directly to Judge Mariani instead of recording them on the Docket. Many motions were mailed to the clerks office and never made it to the docket. That shows them blatantly blocking my constitutional rights to access the courts, and my constitutional right to a fair trial.

The Judge told me that he was going to deny my motions because they weren't mailed in by me or my ~~attorney~~ counsel, in that case he should have denied all the ones that did make it to the courts. He granted some and denied some also because they weren't mailed in by me. They all came from the same mailing address. Why did he pick and choose which ones he would rule on, which ones he would deny and grant, and that was his excuse, them not being mailed in by me?

This is just another example of how the courts has blocked my motions from being on the docket and this was how stand-by counsel was forced on me. It's misleading when you read the notes from the day I went to court to go pro se. The audio recording will verify this. I never requested stand-by counsel, Judge Mariani appointed him to me and that still blocked me from filing motions.

Another reason why the Judge denied the motions to "exclude the cell phone" and the motion for an "evidentiary hearing" was because he said the signatures did not appear to be mine, but yet this was the same signatures that were on the 4 motions that he DID rule on. If Judge Mariani felt that way, why did he rule on the other 4 motions that were sent in the same envelope with those motions. That's just another example of my motions being blocked from being ruled on and being put on the docket.

I would like to explain more of my experience with CJ representing me and how he knowingly violated my rights on several occasions.

CJ came to see me less than 2 weeks before trial and forced me to go to trial even though he and I both knew I was nowhere near ready, he refused to let Judge Mariani know these things and instead told me "the Judge will not allow us to postpone trial and ready or not we will be going to trial August 5 2023." He also told me that "Judge Mariani would not assign me another attorney, i've exhausted my options and if he didn't represent me I would be representing myself at trial." He came on the day of the pre trial status conference (right after the conference) and told me this. He was angry about Mr.Hull standing up and telling Judge Mariani that I was not ready for trial, and he said that Mr.Hull was making it difficult for him to represent me by standing up and telling the Judge what was going on at the status conference that they didn't allow me to be at. CJ denied me my due process on several occasions.

I asked him several times to bring me the motions that I had prepared for me because he claimed they were frivolous, he refused to bring me the motions, go over them with me, and explain why he thought they were frivolous. After asking him to bring me copies of them, he brought me 3 out of 11 motions. He led me to believe that there was only 3 of them at first. Thankfully I had Mr.Hull tell me the truth and how many there really were. He also lied to me about what the motions meant. I later found out that there were several other motions and when I asked CJ AGAIN to bring the motions (the same day as the status conference) he became angry and stormed out of the lawyer visitation (which was behind the glass). He came back in with his laptop and went over 2 more motions, which STILL wasn't all of the motions that I asked him SEVERAL times to bring in to me. So now we're behind the glass and i still can not personally see the motions and he never printed them out to bring me copies, he came in with his laptop and kept it facing him while reading them to him self but at the same time only reading me bits and pieces of "2 motions", he was very irrate and said "im not filing these motions these are frivolous". That was clearly the first time he read these motions right there in front of me but yet prior to this he claimed that the motions were frivolous, he told the Judge this and he told me this. How did he know they were frivolous if he never went over them. Because he listened to the prosecutor and didnt care about me or the motions.

Another time I asked him to print the motions out and bring them to me. He printed out 3 and met with me in the multi purpose room. I became upset at this point because i've asked this man so many time to bring me ALL of my motions that he refused to adopt. His excuse was there was malfunction with the printer and thats why there was only 3. He told me he would bring them "next time" there was no next time, he never brought them to me. Once again violating my rights, denying me my due process. CJ should be held accountable for all of the wrongful things that I experienced with him as my attorney.

Prior to trial, CJ was assigned to my case for months and not once came to see me and go over my case or my motions with me until the very end (days before trial) at this point he knew nothing about my case. There was a time he came to tell me he was going on vacation and he would be back the following week which was 2 weeks before Trial. I tried to ask questions and he knew nothing about my case, so he basically just came to tell me he was going on vacation. But he told me he would be back and that entire 2 weeks before trial he would meet with me everyday and prepare for trial with me, that never happened.

Prior to trial CJ was also representing another client, his name was Kevin Jones. He was in the same county jail that i was in. They ended up having a mistrial and Judge Mariani gave them 2-3 more weeks to prepare for a second trial. I tried several times to reach CJ during that time. I had my family reaching out trying to call him, they got answer, no returned call and couldn't even leave a message because his voicemail wasn't set up.

Finally my child's father Daquan Jones was able to contact my first attorney Mr. Solomon, he gave Mr. Jones CJ's email address, Mr.Jones then reached out to CJ via email. I have proof of these emails. Daquan asked CJ why he wasn't communicating with me or coming to see me and why we weren't preparing for trial we had 5 weeks until trial started at this time, and i still have not gone over anything with CJ regarding my case.

CJ responded to my child's father apologizing, saying he hasn't had time because he was currently in trial with Kevin Jones and after their trial was over he would be there to see me. They ended up having a mistrial and so because of that he still did not make it to see me so that we can prepare for my case. He came when the first trial was over to tell me that they had a mistrial and that he would be busy preparing for that case. So basically I didnt matter, preparing for my trial wasn't a priority to him at that moment. He told me the Judge gave him 2-3 weeks to prepare for that trial and he would be back to see me after that, lets keep in mind this is now about 4-5 weeks before trial.

By this time i was practically begging him to please ask the Judge for more time for us, theres no way that we can properly prepare for a case in 2 weeks that the prosecutor been preparing for a year and a half. I couldn't even ask him any questions about my case because he knew nothing about it. He told me that we didn't need to continue the trial, he's very good at what he does and that I would have to just trust him, and he would be there with me everyday for those last 3 weeks to prepare for trial. CJ came back again to see me after that 2nd trial for Kevin Jones to tell me he was going on Vacation, so i would have to wait another week to go over my defense with him, that would put me at 2 weeks only to prepare for my case. He still at this point could not answer my questions because he knew nothing about my case, so our visit was very short and only for him to come tell me he was going on vacation and that's it. I begged him to postpone my trial date, he refused and told me Judge Mariani wouldn't allow it, he never asked the Judge, he never tried to postpone my trial date, so how would he know what Judge Mariani would or wouldn't do? I cried to this man because I knew he was setting me up for failure and he disregarded me and my defense by refusing to ask for more time.

At this time, after that visit, I began trying to submit my own motions to try to get them on record since CJ refused to do it. He refused to do his job, he refused to prepare for my trial in an adequate time frame. Not only did he not prepare for my trial with me,

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He didn't prepare for my trial AT ALL. WHAT SO EVER he was not ready for trial, but yet I was forced to go anyway, and lost. CJ allowed the prosecutor to lead multiple witnesses on several occasions. He didn't defend me even though he and I both heard the testimonies of the witness and seen the lies and inconsistencies in their testimonies, and he refused to address any of it during his "cross examination" and when the judge asked if any of the witnesses should be excluded because of untruthfulness or perjury. CJ said nothing. He should have been on the prosecutors side with the way he represented me during trial.

After losing trial I wrote multiple letters to Judge Mariani telling him all of this since everytime i tried to speak in court, CJ told me to not speak and let him do the speaking.

My motions never got filed because CJ refused to adopt them. I already had my motions prepared, I just needed CJ's assistance with them. I needed him to go over them with me so we could fix anything that needed to be fixed on them, since he claimed they were frivolous. He refused to do any of this. He denied me my due process and he violated my constitutional rights on SEVERAL occasions..He forced me to go to trial even though he did not spend an adequate time preparing for my case, why?

Another issue i have is with the prosecutors witnesses. Their testimonies were very inconsistent. Michelle Schaffer, David (im not sure his last name), Troy Franko, along with some expert witnesses. They switched up their testimonies numerous times after being led by the prosecutor. I don't have access to my transcripts, i've been trying to contact my "stand-by counsel" who was assigned to my appeal as well, and am experiencing very similar issues to what i've experienced with CJ. He wont respond to my emails and he wont talk to my family or return their calls. I haven't heard from him at all since a few days after trial in August. When he promised to file my motions for me and told me to mail them in to him and he would make sure they got put on the docket. I mailed all of my motions that never made it to the docket and he did not file 1 of those motions.

This is the same stand-by counsel that Judge Mariani basically forced on me when i went to a hearing to go pro-se.

I still don't have my transcripts so im unable to pinpoint the exact page numbers, dates, and times, during trial that all of these things took place with the witnesses.

A perfect example is the DNA Specialist, who clearly said that my DNA was EXCLUDED but the prosecutor still turned that around and told the jury that my DNA was "probably" still on there but it just wasn't enough to detect, even though the specialist made very clear that ~~my~~ my DNA along with the fathers DNA was EXCLUDED.

The prosecutor lied to the Jury and told them that the father touched the drugs and told the jury that "Just like Ceri's Father touched the drugs and his DNA was excluded, that a perfect example of how that could have happened with me.

Ceri's father stated in his testimony that he NEVER touched the drugs,he used a Q-tip to move them. So why did the prosecutor switch up what he said and lie to the jury saying he did touch them?

Also the cell phone tower specialist brought up a slide show, showing Troy Franko's whereabouts, he testified that Troy was on his way to Philadelphia, so basically there was no way he went to Ceri's house to clean up the scene like the investigators suspected happened in the original police report.

The slide show was dated February 16-17 2023, This happened in February 2020, why was it dated 2023? My lawyer asked if it was a "typo" and how a professional made that kind of mistake when these are supposed to be computer generated why was the date inaccurate. We were curious about where Troy was February 16th and 17th of 2020 not of 2023.

We also were curious as to why Troy Franko's DNA was all over the drugs that were found. Troy testified that he never touched the drugs, and that Ceri already had the drugs "ready" (prepared in a needle) for him when she got to his job. He testified that he never seen the drugs, he never seen how many bags she put in the needle, he didnt know if she had more drugs, or if she used these drugs prior to coming to his job. He didn't know if she had more when she left or how much she initially bought. I want to know how someone who claims to have never touched the drugs,DNA was on the drugs? But the prosecutors claim that the father touched them and so did I, But both of our DNA was EXCLUDED from being on the drugs, There was Troys DNA on the drugs though, along with Ceri's, along with another unidentified person consistent with a male. Me and Ceri's father's DNA was EXCLUDED.

Another thing i would like to mention is the motion for exclusion of the cell phone that Judge Mariani refused to rule on. First he wouldn't rule on it because my attorney didn't file it and refused to adopt it. Then when i fired my attorney and went pro-se he wouldnt rule on it because he claimed that the signatures did not match other papers with my signature on them. Even though he ruled on other ones with the SAME exact signatures. That motion of exclusion of the cellphone that they claimed to be

frivolous, was not frivolous at all in fact.

The detective who took the phone from the scene had the phone for 3 days before putting it into evidence. He also allowed the father to go through the cell phone for a minute or 2 before showing him who he believes to be responsible for his daughter Ceri's death, which he told the investigator that it was Troy Franko.

This phone should have been put into evidence before any of this took place, this cell phone should have been copied to the cell phone brite system that they use to copy all data on the cell phone, but it wasn't and the father along with the detective who allowed the father to go through the phone, both testified that the father had the cell phone for a few minutes before giving it to the detective. The detective testified that Ceri's father had the phone close to his face and away from the detective. Why didn't he just give the detective the cell phone code ~~22~~ go through the phone himself?

Either way, what they allowed the father to do was not proper protocol when handling evidence.

— There was no finger prints retrieved even tho in the police report they said they believe someone was there cleaning up the scene, they believe Troy was there cleaning up the scene. That only open's up many more questions if Troy or someone else was there. If a proper investigation was never done, How do we know that nothing was deleted from the cell phone prior to it being found by the detectives or after it was found. If it was never checked for fingerprints, never handled like evidence is supposed to be handled, with gloves and put into evidence, never copied for any data before allowing anyone to go through it, how was this cell phone evidence ever able to be submitted? How was my motion to exclude the cell phone frivolous?

(i would like to add)

Another issue that i want to mention is, CJ was told by Judge Mariani at the status conference to come and get a paper/and or letter from me stating that I was ready for trial. The reason the Judge told him to do this is because his story was inconsistent with Mr.Hull. CJ lied when Judge Mariani asked him if he went and discussed/went over the motions with me like he ordered him to do, he lied and told him yes. After Mr. Hull stood and told Judge Mariani that CJ was lying about that, Judge Mariani ordered CJ to come get a letter/signature from me saying I was ready for trial and I didn't want any of my motions adopted. On July 29 2024, when CJ came to see me he was mad about Mr.Hull and what he told the Judge. He told me that the Judge wanted me to sign a paper stating that I still wanted him to represent me. He told me if I didn't sign it, he could no longer represent me, that I was out of options, I wouldn't be getting assigned another attorney, and that I would be at trial representing myself, so of course I signed it.

Cj committed identity fraud, he took my signature and put it on something else stating I was ready for trial, the paper I signed said nothing about me going to trial or me not wanting my motions adopted like Judge Mariani ordered him to get from me. If the letter did say anything about that I would have NEVER signed it.

Cj not only violated my constitutional rights and denied my due process but he also committed a crime taking my signature and putting it on something else.

obituary
 The coroner autopsy report, the EMS report, the ~~obituary~~ and what was told to the grand jury are all different dates that Ceri's death supposedly occurred.

The Emrs stated that the caller reported she last spoke to and seen Ceri "yesterday". This call was made on February 17, 2020, when Ceri's body was found. So "yesterday" would mean that Ceri was last spoken to on February 16, 2020. If she supposedly died on February 15th 2020 when she allegedly met with me, how is this even possible?

Ceri was in the car for almost an hour after buying the drugs for Troy, Troy's workplace doesn't take an hour to get to. What was she doing in that time frame and why was that never investigated? How can the prosecutor just assume that Ceri went straight home after meeting Troy, did the drugs and died?

Before taking the drugs to Troy that HE ASKED HER TO GO BUY AND BRING TO HIM, she had needles and drugs in the car and prepared Troy's drugs for him by getting it ready in a syringe, how do we know Ceri didn't get high in the car? Her car was never searched for evidence, in fact the detecting told Ceri's father to take pictures of the car and that was it. Shouldn't the detective be the 1 taking pictures of the car and searching the car for any evidence?

Ceri was found at home in the bathroom, they claimed she died on the toilet and fell over. There was no drug paraphenilia around her, they never checked her car and never searched her house for any drugs. In fact they went back to Ceri's house 2 days later and found drugs. They seen that Ceri contacted a free ap that was assigned to my email that was clearly being used by more than one person, the same app that was still active and being used even after I got arrested for this, but yet they charged me with Ceri's death without thoroughly doing a proper investigation on this case.

They claim that this case was being charged in the state but because of "Covid" the statue of limitation went into effect and they charged me federally. There are so many unanswered questions in this case that should have been properly investigated before I was charged with this. I was a single mother living in Atlanta during the time they indicted me. Working 2 jobs and working hard to take care of my young children. I admit I surrounded myself around the wrong people in the past, I was in an abusive relationship with a man that I couldn't leave until I left the state of Pennsylvania who forced me to not only be around drugs but partake in some of them also. I pray this comes to light, that I HAVE NEVER SOLD ANY DRUGS TO CERI MULLIGAN, let alone the drugs that she overdosed on. I didn't just get sentenced to 20 years but I was sentenced to 30 years. My children will be 30 plus years old when I return to them, and for a crime that I didn't do. With unprofessional people and the corrupt district that I was in, I was never able to have a fair trial. My rights were violated so many times and they just threw me in prison serving a murder sentence like I was nothing. I was sentenced 30 years for a crime that I did not do, Michelle Oishefski threatened me and told me that if I fought this case and didn't take her 15 year plea, she would do everything in her power to make sure I got sentenced to 30 years. She hired witnesses to make false testimonies against me and she gave false

information not only to the grand jury to get this indictment but also to the judge so that I can receive a 10 year enhancement to this 20 year minimum charge. And after getting sentenced she made a speech on how she wanted to "send a message" "make an example". Mrs. Oishefski's only example was that she has the power to deceive the jury, the grand jury, and the judge. The only message Mrs. Oishefski sent was that she will get her way whether its willingly or by force.

Mrs. Oishefski message was that she doesn't care about justice, only about winning and she will do any and everything to do just that, WIN.

Ms. Oishefski along with others involved with this case that KNOW the truth and still allowed this to happen, need to be held accountable.

I am not the only person she has done this to, in fact there are hundreds of men and women serving lengthy sentences as well, who also fell victims to her corruption, who I also had interviewed.

I thank the courts kindly for the time taken to read this. I can only hope and pray that my story is heard and not only heard but fully investigated and brought to the light, because these are things that the Middle District investigators and prosecutors FAILED to do.

Thankyou Sincerely
 Ms. Asiana Williams

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Certificate of Service

I, Asiana Williams, do hereby Certify that on this 20th day of March 2025, did place a true and correct ~~copy~~ ^(forma pauperis) of this instant motion that was mailed within the Legal Mailing Room at Aliceville FCI, and a copy was mailed to / filed with the:

United States Middle District Court (Scranton PA)

and

United States Court of Appeals (Philadelphia PA)

Declaration

I, Asiana Williams, do under Penalties of Perjury, pursuant to 28 U.S.C. 1746, declare that the Forgoing is TRUE and CORRECT to the BEST of my knowledge.

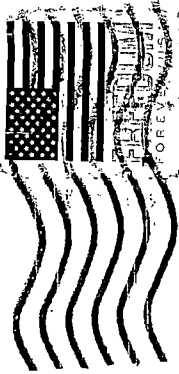
This is the 20th day of, 2025.

x. A. Williams

Asiana Williams

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United States Middle-District Court
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